

Memorandum

**TO: HONORABLE MAYOR AND
CITY COUNCIL**

FROM: Betsy Shotwell

SUBJECT: SEE BELOW

DATE: October 3, 2005

Approved

Ray Winer

Date

10/3/05

SUPPLEMENTAL

**SUBJECT: ADOPTION OF A RESOLUTION IN SUPPORT OF SB 962 (CHESBORO),
AB 1378 (LIEBER), AND AB 609 (LIEBER) RELATING TO AGNEWS
DEVELOPMENTAL CENTER: CLOSURE**

REASON FOR SUPPLEMENTAL

On September 28, the Rules Committee accepted the recommendation of Vice Mayor Chavez and Councilmember LeZotte to adopt a resolution in support of SB 962 (Chesboro), AB 1378 (Lieber) and AB 609 (Lieber) relating to the impending closure of Agnews Developmental Center.

RECOMMENDATION

That the City of San Jose support SB 962, AB 1378 and AB 609 relating to the closure of Agnews Developmental Center. All three measures passed the State legislature and are currently on the Governor's desk awaiting either his signature, veto, or if he takes no action by October 9, passage into law.

BACKGROUND

The City of San Jose has a history of stated concern over the State's plan to close Agnews Developmental Center. In the past, the City has asked that the State work to protect the most vulnerable and marginalized members of our community and be committed to finding programs and facilities that support our disabled community at Agnews. The impending closure of Agnews has been approved as part of the State budget with a targeted date of 2007. Three bills have been passed by the legislature and are pending on the Governor's desk that address the issue.

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Page 2

ANALYSIS

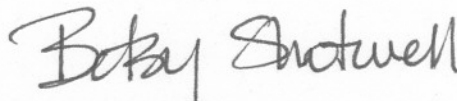
AB 609 (Lieber) would require the Department of Developmental Services (DDS) to establish the Agnews Developmental Center Campus Advisory Group to provide the Legislature with recommendations regarding the disposition of the real property of the Agnews campus. AB 609 would also provide that the recommendations include options for retaining the land or its value for the use of people with developmental disabilities who receive services under the Lanterman Developmental Disabilities Services Act. Recommendations of the Advisory Group would be reported to the Legislature by June 30, 2006.

AB 1378 (Lieber) would authorize the Department of Developmental Services (DDS) to provide state employees to operate any facility if DDS determines that this will assist in meeting the goal of closing Agnews. This legislation expresses the Legislature's intent to ensure continuity of care and to seek and implement recommendations to retain Agnews staff as employees for crisis management, specialized services and support in community homes to assist persons with behavioral and psychiatric needs. According to the bill's author, this DDS authorization is a "key element in the successful transition of Agnews' residents into community living arrangements."

SB 962 (Chesbro) would establish a new type of licensed community care and residential facility as part of a pilot project to serve people with developmental disabilities.

COORDINATION

The City's Legislative Representative in Sacramento.



BETSY SHOTWELL

Director, Intergovernmental Relations